COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:
TYPE OF DECLARATION
This declaration is of the following type:
(check one applicable item below)
🗵 original.
design.
NOTE: With the exception of a supplemental oath or declaration submitted in a reissue, a supplemental oath or declaration is not treated as an amendment under 37 CFR 1.312 (Amendments after allowance, M.P.E.P. § 714.16, 7th Edition.
supplemental.
NOTE: If the declaration is for an International Application being filed as a divisional, continuation of continuation-in-part application, do <u>not</u> check next item; check appropriate one of last three items.
☐ national stage of PCT.
NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL CONTINUATION OR C-I-P.
NOTE: See 37 C.F.R. § 1.63(d) (continued prosecution application) for use of a prior nonprovisional application declaration in the continuation or divisional application being filed on behalf of the same or fewer of the inventors named in the prior application.
☐ divisional.
☑ continuation.
NOTE: Where an application discloses and claims subject matter not disclosed in the prior application, or a continuation or divisional application names an inventor not named in the prior application, a continuation-in-part application must be filed under 37 C.F.R. § 1.53(b) (application filing requirements—nonprovisional application).
continuation-in-part (C-I-P).
INVENTORSHIP IDENTIFICATION
WARNING: If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.
My residence, post office address and citizenship are as stated below, next to my name, believe that I am the original, first and sole inventor (if only one name is listed below) or n original, first and joint inventor (if plural names are listed below) of the subject matternat is claimed, and for which a patent is sought on the invention entitled:
TITLE OF INVENTION
ENHANCED HERBICIDES
(Declaration and Developed Attenua Ed. 4)

SPECIFICATION IDENTIFICATION

the specification of which:

(complete (a), (b), or (c))

	(complete (a), (b), or (c)	<i>y</i>
(a)	is attached hereto.	
NOTE	"The following combinations of information supplied in an of filing date with a specification are acceptable as minimums for with any one of the items below will be accepted as compl. 37 CFR 1.63:	r identifying a specification and compliance
	"(1) name of inventor(s), and reference to an attache the oath or declaration at the time of execution and subm	ed specification which is both attached to nitted with the oath or declaration on filing
	"(2) name of inventor(s), and attorney docket number or	
	"(3) name of inventor(s), and title which was on the	specification as filed."
	Notice of July 13, 1995 (1177 O.G. 60).	
(b) (□ was filed on, as □ Serial	No. 0 /
	and was amended on (if	applicable).
NOTE:	Amendments filed after the original papers are deposited we not accorded a filing date by being referred to in the declarationare those filed with the application papers or, in the case of amendments claiming matter not encompassed in the original 37 C.F.R. § 1.67.	on. Accordingly, the amendments involved of a supplemental declaration, are those
NOTE:	"The following combinations of information supplied in an oa are acceptable as minimums for identifying a specification ar below will be accepted as complying with the identification	nd compliance with any one of the iteme
	"(A) application number (consisting of the series code	and the serial number, e.g., 08/123,456);
	"(B) serial number and filing date;	
	"(C) attorney docket number which was on the special	fication as filed;
	"(D) title which was on the specification as filed and refe is both attached to the oath or declaration at the time o or declaration; or	erence to an attached specification which f execution and submitted with the oath
_	"(E) title which was on the specification as filed and a identifying the application for which it was intended by e of the series code and the serial number, e.g., 08/123,456) any statement(s) to the contrary, it will be presumed tha application which the inventor(s) executed by signing the	either the application number (consisting), or serial number and filing date. Absent at the application filed in the PTO is the
	M.P.E.P. \$ 601.01(a), 7th Ed.	
(c) [was described and claimed in PCT In, filed on	ternational Application No.
•	amended under PCT Article 19 on	and as (if any).
		will.
		• .

SUPPLEMENTAL DECLARATION (37 C.F.R. § 1.67(b))

(cor	inplete the following where a supplemental declaration is being submitted)
	I hereby declare that the subject matter of the
	□ attached amendment
	amendment filed on
	of my/our invention and was invented before the filing date of the original n, above-identified, for such invention.
ACKN	OWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR
-	state that I have reviewed and understand the contents of the above-identified on, including the claims, as amended by any amendment referred to above.
	wledge the duty to disclose information, which is material to patentability as 37, Code of Federal Regulations, § 1.56,

(also check the following items, if desired)

- and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and
 - in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. § 1.98.

PRIORITY CLAIM (35 U.S.C. §§ 119(a)-(d), (f) 172, and 365(a) and (b))

NOTE: 37 C.F.R. § 1.55 Claim for foreign priority.

"(a) An applicant in a nonprovisional application may claim the benefit of the filing date of one or more prior foreign applications under the conditions specified in 35 U.S.C. 119(a) through (d) and (f), 172, and 365(a) and (b).

(1)(i) In an original application filed under 35 U.S.C. 111(a), the claim for priority must be presented during the pendency of the application, and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior foreign application This time period is not extendable. The claim must identify the foreign application for which priority is claimed, as well as any foreign application for the same subject matter and having a filing date before that of the application for which priority is claimed, by specifying the application number, country (or intellectual property authority), day, month, and year of its filing. The time period in this paragraph does not apply to an application for a design patent.

- (ii) In an application that entered the national stage from an international application after compliance with 35 U.S.C. 371, the claim for priority must be made during the pendency of the application and within the time limit set forth in the PCT and the Regulations under the PCT."
- (2) The claim for priority and the certified copy of the foreign application specified in 35 U.S.C. 119(b) or PCT Rule 17 must, in any event, be filed before the patent is granted. If the claim for priority or the certified copy of the foreign application is filed after the date the issue fee is paid, it must be accompanied by the processing fee set forth in § 1.17(i), but the patent will not include the priority claim unless corrected by a certificate of correction under 35 U.S.C. 255 and § 1.323

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a)–(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(Declaration and Power of Attorney [1-1]—page 3 of 7)

(complete (d) or (e))

(d)	\boxtimes	no	such	applications	have	been	filed.
-----	-------------	----	------	--------------	------	------	--------

(e) such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119			
			☐ YES NO ☐			
		·	☐ YES NO ☐			
			☐ YES NO ☐			
			☐ YES NO ☐			
			☐ YES NO ☐			

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (34 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER	FILING DATE
/	

CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S) UNDER 35 U.S.C. § 120

The claim for the benefit of any such applications are set forth in the attached ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN PART (C-I-P) APPLICATION.

(6)	REIGN APPLICATION(S), <i>IF ANY</i> , FILED MORE TI MONTHS FOR DESIGN) PRIOR TO THIS U.S. AP	HAN 12 MONTHS PLICATION
the divis AND	the application filed more than 12 months from the filing date of this application basis for this application entering the United States as (1) the national sisional, or continuation-in-part, then also complete ADDED PAGES TO COD POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P the prior U.S. or PCT application(s) under 35 U.S.C. § 120.	tage, or (2) a continuation, OMBINED DECLARATION
	POWER OF ATTORNEY	
I hereby a all business	appoint the following practitioner(s) to prosecute this appoin the Patent and Trademark Office connected therewith	lication and transact n.
Ma	(list name and registration number) an C. McLeod - Registration No. 20,93 ary M. Moyne - Registration No. 35,96 ohn David Reilly - Registration No.	62
	(check the following item, if applicable)	
vi	hereby appoint the practitioner(s) associated with the Cusided below to prosecute this application and to transact Patent and Trademark Office connected therewith.	stomer Number pro- t all business in the
of	attached, as part of this declaration and power of attorney, of the above-named practitioner(s) to accept and follow in epresentative(s).	, is the authorization estructions from my
come. For e contin from in the prose addre	ecial care should be taken in continuation or divisional applications to erespondence address in a prior application is reflected in the continuation example, where a copy of the oath or declaration from the prior application or divisional application filed under 37 CFR 1.53(b) and the copy of the prior application designates an old correspondence address, the O econtinuation or divisional application, the change of correspondence a ecution of the prior application. Applicant is required to identify the chases in the continuation or divisional application to ensure that communicated to the current correspondence address. 37 CFR 1.63(d)(4)." § 601.03	or divisional application. cation is submitted for a of the oath or declaration office may not recognize, address made during the ange of correspondence tions from the Office are
END CORRE		PHONE CALLS TO:
⊠ Ac		an C. McLeod 517) 347-4100
⊠ Cu	ustomer Number 21036	
•	(complete the following if applicable)	• •
Since this f	filing is a ☐ continuation ☐ divisional there is attached h	nereto a Change of

Since this filing is a \square continuation \square divisional there is attached hereto a Change of Correspondence Address so that there will be no question as to where the PTO should direct all correspondence.

(Declaration and Power of Attorney [1-1]—page 5 of 7)

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

- NOTE: Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other documents.
- NOTE: Each inventor must be identified by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial, and by his/her residence, post office address and country of citizenship. 37 CFR § 1.63(a)(3).
- NOTE: Inventors may execute separate declarations/oaths provided <u>each</u> declaration/oath sets forth all the inventors. Section 1.63(a)(3) requires that a declaration/oath, inter alia, identify each inventor and prohibits the execution of separate declarations/oaths which each sets forth only the name of the executing inventor. 62 Fed. Reg. 53,131, 53,142, October 10, 1997,

Full name of sole or first inventor

ROBERT

(GIVEN NAME)	(MIDDLE INITIAL OF NAME)	FAMILY (OR LAST NAME)
Inventor's signature	Kobut D Coleman	
Date January 17 2	2003 Country of Citizensh	p US
Residence		
Post Office Address	4249 Mariner Lane	
	Okemos, Michigan	48864
Full name of second jo	oint inventor, if any	
•		
(GIVEN NAME)	(MIDOLE INITIAL OR NAME)	FAMILY (OR LAST NAME)
Inventor's signature		
Inventor's signature	(MIDOLE INITIAL OR NAME) Country of Citizenshi	
Inventor's signature	Country of Citizenshi	

Full name of third joint inventor, if any

(GIVEN NAME)	(MIDDLE INITIAL OR NAME)	FAMILY (OR LAST NAME)
Inventor's signature		
Date	Country of Citizenship	
Residence		· · · · · · · · · · · · · · · · · · ·
Post Office Address		•

COLEMAN

(check proper box(es) for any of the following added page(s) that form a part of this declaration)

	Signature for fourth and subsequent joint inventors. Number of pages added
	** *
	Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. <i>Number of pages added</i>
	* * *
	Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. <i>Number of pages added</i>
	* * *
	Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47)
	* * *
X	Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.
	□ Number of pages added3
	* * *
	Authorization of practitioner(s) to accept and follow instructions from representative.
	* * *
ti	(if no further pages form a part of this Declaration, hen end this Declaration with this page and check the following item)
	☐ This declaration ends with this page.
	·

(Declaration and Power of Attorney [1-1]-page 7 of 7)

Practitioner's	Docket N	ACC	4.	. 1-	15	

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION

(complete this part only if this is a divisional, continuation or C-I-P application)

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120

I hereby claim the benefit, under Title 35, United States Code, § 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information

that is material to patentability as defined in 37, Code of Federal Regulations, § 1.56

(also check the following item, if desired)

and that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent,

that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application. (37 C.F.R. § 1.63(e)).

(also check the following item, if desired)

In compliance with	this duty,	there is	attached	an information	disclosure	statement
in accordance with	37 C.F.R	. § 1.98.				

			ONS OR PCT INTER U.S. FOR BENEFI			
· U.S.	APPLICA	. Sta	Status (check one)			
U.S. APPLICATIONS U.S.			FILING DATE	Patented	Pending	Abandoned
1.0 9/ 692,763		10/	19/2000	·	x	
2.0 9/ 427,476		10/	26/1999	x		
3.0 /PCT APPL		DESI	GNATING THE U.S.			
PCT APPLICATION NO.			U.S. APPLICATION NOS. ASSIGNED (if any)			
4			0 /			
5		0 /				
6			0 /			

35 USC § 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED U.S./PCT APPLICATIONS

ABOVE APPLICATION NO.	DETAILS OF U.S. PROVISIONAL OR FOREIGN APPLICATION FROM WHICH PRIORITY CLAIMED UNDER 35 USC § 119					
Please indicate appropriate PCT application no.	Country and Application No.	Date of filing (day, month, year)	Date of issue (day, month, year)			
1.						
2.	, , , , , , , , , , , , , , , , , , , ,					
3.						
4.						
5.						
6.						
7.						
8.						

Practiti ner's Dock t N . ACC 4	.1-15 PATENT
Applicant Robert Coleman	☐ Patentee
☐ Application No.	☐ Patent No
☐ Filed on	☐ Issued on
Title: ENHANCED HERBICIDES	
	TUS AS SMALL ENTITY MALL BUSINESS CONCERN
I hereby state that I am	
☐ the owner of the small business	concern identified below:
 an official of the small business concern identified below: 	concern empowered to act on behalf of the
Name of Small Business Concern Sun	mmerdale, Inc.
Address of Small Business Concern424	9 Mariner Lane
Oke	emos, Michigan 48864
business concern, as defined in 13 C.F.R. § 1 of paying reduced fees to the United States 41(a) and (b) of Title 35, United States Code, ir including those of its affiliates, does not statement, (1) the number of employees of previous fiscal year of the concern of the p temporary basis during each of the pay per affiliates of each other when either, directly power to control the other, or a third-party oboth.	small business concern qualifies as a small 121, and in 37 C.F.R. § 1.27(a)(2), for purposes Patent and Trademark Office under Sections in that the number of employees of the concern, exceed 500 persons. For purposes of this the business concern is the average over the ersons employed on a full-time, part-time or riods of the fiscal year, and (2) concerns are or indirectly, one concern controls or has the properties controls or has the power to control
I hereby state that rights under contract or the small business concern identified above	law have been conveyed to, and remain with, , with regard to the invention described in
	vith title as listed above.
the application identified above.	
the patent identified above.	
individual, concern or organization having ri	nall business concern are not exclusive, each ights in the invention is listed below* and no other than the inventor, who would not qualify

*NOTE: Separate statements are required from each named person, concern or organization having rights to the invention as to their status as small entities. (37 C.F.R. § 1.27)

(Small Entity-Small Business [7-4]—page 1 of 2)

Eacl below:	h such pers	on, concern o	r organization h	aving any n	ights	in the invention	is listed
	☐ No suc	h person, cond	cern, or organiz	ation exists.			
			oncern or organi			pelow.	
Name .	A	pplied Car	cbochemica]	ls, Inc.			
Addres	ss8	350 52nd s	Street, S.	B		•	
	A	lto, Mich	igan 4930:	2			
□ 1	INDIVIDUAL	M SMAL	L BUSINESS CON	CERN		NONPROFIT ORGAN	NIZATION
Name .		······································	· 				
Addres	is	·				·	
	NDIVIDUAL	☐ SMAL	L BUSINESS CONC	ERN		NONPROFIT ORGAN	IZATION
status a	as a small l "The present by a party, w chapter. Viole may result in	DUSINESS entity ation to the Office (hether a practitione ations of § 10.18(b) the imposition of	is no longer ap (whether by signing, er or non-practitione (2) of this chapter by sanctions under §	propriate. (\$ filing, submitti r, constitutes a y a party, whetl 10.18(c) of this	37 C. ing, or certific her a p	e after the date or F.R. § 1.28(b)) later advocating) of a ication under § 10.18(practitioner or non-pra pter. Any practitioner and 10.23(c)(15)." 3	ny paper (b) of this ctitioner,
Name o	of Person Si	gning	Robert (Coleman			
			4249 Mar				
· · · · · · · · · · · · · · · · · · ·			Okemos,	Michigan	n 4	48864	
SIGNAT	URE /	Dert X	Jonai Jemai	ر کے Date	Tani	vary 17,2	003

Prac	otitio	ner's	Doc	: ket	No	ACC	4.1-	15	P/	ATENT
(25	Appl	icent :	Robe	ere.	Cole	man	O	Paternee	-	
		ication	•	:			0	Patent No		
	Filed						0	issued on		
Tat	le:	ENHA	SCE	H	RBIC	IDES				
		(37	STA C.F.	TE) R. §	MENT	OF STA)(2))—S	TUS MAL	as small L Business	entity Concern	
i h		state								
								ern identified		
	-	conce	en ide	rèifi	ed belo	w:			red to act on behal	
Nam	e of S	Small E	Justrie	ss C	concern	<u> </u>	ppli	ed Carbo	hemicals Inc	 -
Addi	ess 0	1 Smal	1 84	nest	Conce	m8	350	S2nd Str	et. S.B.	
			<u> </u>	<u> </u>		A	<u>1to,</u>	Michigan	49302	
trusir of particular provide p	ress c sying (and (ading ament, lous fi sorary ates o	oncerreduce b) of Ti those (1) the iscal ye basis f each control	of tests of its ear of the country other	effine to the the whi ther	ed in 13 the United State in Concern c	C.F.R. § ted State es Code, does no loyees o n of the he pay F r, directi ind-party	121, in the last except the last except of the last	and in 37 C.F and Trade the number of sed 500 pers sualness conc ns employed to of the fiscal directly, one of rities controls	ncem qualities as R. § 1.27(a)(2), for purple of the cons. For purposes ern is the average of a full-time, partyear, and (2) concern controls or has the power to	irposes lections oncern, of this over the time or erns are has the control
the s	erredi i	busine	ss cb	ngen	n id enti	ode beil	id' Al	p redend to a	nveyed to, and remand invention describ	ed in
	•							itie as listed	above.	
				-		epove	3,			
		the p	arenj	Iden	dified at	XXYE.				
indly right	duel, s to t	conce	em år htiom: ter 37 kauld	oige and h C.F not c	anizatio eld by a : P. § 1 qualify a	n having My parac (27(a)(1)	righta on, other , if the ill busin	ish the inverse than the inv of person mai ness concern	em are not exclusivition is listed below [*] entor, who would no de the invention, or under 37 C.F.R. § 1	topusity by eny

*NOTE: Separate statements are required from each named parable, concern or organization having rights to the invention as to their status as arnell entities. (S7 C.F.R. § 1.27)

or a nonprofit organization under 37 C.F.R. § 1.27(a)(3).

(Small Entry-Small Business [7-4] page 1 of 2)

Each such person, concern or organization having any rights in the invention is listed

☐ No s	ush person, concern, or organization ext	ats.
🗯 Each	such person, concern or organization is	ilsted below.
Name	Summerdale, Inc.	
	4249 Mariner Lane	
, 100 000 1,1,22	Okenos, Michigan 48864	
☐ INDIVIDUAL	SMALL BUSINESS CONCERN	O NONPROFIT ORGANIZATION
Name	<u> </u>	
Address	<u> </u>	
D INDIMEDUAL	O SMALL BUSINESS CONCERN	D NONPROPIT ORGANIZATION
status 85 8 5774 NOTE: "The pre by 8 per chapter: may rem § 10.18 § 1.403		te, (5) C.F.N. g Time-ty britishe, or lives advocating of any paper ings a cardination under § 10,18(b) of the whether a precipioner or non-practitioner of this phases. Any practitioner violating
Name of Perso	n Signing Nat Peabody	
Title of Person	if Other Than Owner President	Street S.B.
Address of Per	non Signing 8350 52nd Alto, Bich	igan 49302
CONSTINE	Cmp, o	1/15/03

(Small Entity-Small Business (7-4)-page 2 of 2